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Attorney Docket No. P50959RC2

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Appelbaum, et al.

Predecessor Serial No.: 10/208,082

Group Art Unit No.: unassigned

Predecessor File Date: July 29, 2002

Examiner: unassigned

For: Methods of Use of Fluoroquinolone Compounds Against Ciprofloxacin-Resistant and Ciprofloxacin-Sensitive Pathogenic Bacteria

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**FILING OF AN INFORMATION DISCLOSURE STATEMENT UNDER**  
**37 C.F.R. §1.97(b)**

The attached list of citations on PTO Form 1449 is being submitted under the provisions of 37 CFR §1.56 and §1.97 in order to comply with the duty of disclosure. Their inclusion herein should not, however, be construed as an admission that any particular cited reference is effective prior art or that it discloses or renders obvious any aspect of the claimed invention. A copy of each cited reference is enclosed, except for those references which are already part of the filewrapper. This statement is being filed within the time period specified in 37 CFR §1.97(b). No fee is required.

Respectfully submitted,



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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		ATTY. DOCKET NO. <b>P50959RC2</b>	PREDECESSOR SERIAL NO. <b>10/208,082</b>
		APPLICANT <b>Appelbaum, et al.</b>	
		FILING DATE <b>Herewith</b>	GROUP

**CO-PENDING PATENT APPLICATIONS**

Examiner Initial	Attorney Docket No.	US Serial No.	Filing Date	Title	Inventors
	P50954-1D1 (divisional of previously cited 09/569,648)	10/395,461	3/24/03	Methods of Use of Quinolone Compounds Against Pneumococcal and Haemophilus Strains	Appelbaum, et al.
	P50955RC2 (US2003-0105127A1)	10/323,101	12/18/02	Methods of Use of Gemifloxacin Compounds Against Fluoroquinolone Resistant Streptococcus Pneumoniae Bacteria	Bast, et al.
	P50956RC2 (US2003-0073695A1)	10/262,826	10/02/02	Methods of Use of Gemifloxacin Compounds Against Fluoroquinolone Resistant Streptococcus Pneumoniae Bacteria	Bast, et al.
	P50928X1C1 (US2003-0119866A1)	10/300,407	11/23/02	Methods of Use of Fluoroquinolone Compounds Against Maxillary Sinus Pathogenic Bacteria	Dubois, et al.
	P50928X1D1C1 (US2003-0119867A1)	10/325,521	12/19/02	Methods of Use of Fluoroquinolone Compounds Against Maxillary Sinus Pathogenic Bacteria	Dubois, et al.

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449	U.S. Department of Commerce Patent and Trademark Office	ATTY. DOCKET NO. P50959RC2	PREDCESSOR SERIAL NO. 10/208,082
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use several sheets if necessary)</i>		APPLICANT Appelbaum, et al.	
		FILING DATE Herewith	GROUP 1625

**U.S. PATENT DOCUMENTS**

Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	AA	5,633,262	5/27/97	Hong et al.			
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	AC	5,869,670	2/9/99	Hong et al.			
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CC	M-K. Seo, "Pharmacokinetics of LB20304, a New Fluoroquinolone, in Rats and Dogs", <u>Arch. Pharm. Res.</u> Vol. 19, No. 5, pp. 359-367 (1996)
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CF	M-J. Ahn, et al., "InVivo Efficacy of LB20304a against Experimental Respiratory Tract Infection in Mice", <u>Yakhak Hoeji</u> Vol. 40, No. 4, pp. 438-441 (1996)
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		FILING DATE Herewith	GROUP Unknown

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AI	Jorgensen, <i>et al.</i> , "Methods for Dilution Antimicrobial Susceptibility Tests for Bacteria That Grow Aerobically," <i>NCCLS</i> , <u>17</u> (2)M7-A4: 1-27 (1997).
AJ	Oh, <i>et al.</i> , "In Vitro and In Vivo Evaluations of LB20304, a New Fluoronaphthyridone," <i>Antimicrobial Agents and Chemotherapy</i> , <u>40</u> (6): 1564-1568 (1996).
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AL	Hohl, <i>et al.</i> , "International multicenter investigation of LB20304, a new fluoronaphthyridone," <i>Clinical Microbiology and Infection</i> , <u>4</u> (5): 280-284 (1998).
AM	Clark, <i>et al.</i> , "Antipneumococcal Activities of Levofloxacin and Clarithromycin as Determined by Agar Dilution, Microdilution, E-Test, and Disk Diffusion Methodologies," <i>Journal of Clinical Microbiology</i> , <u>36</u> (12): 3579-3584 (1998).

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AN	<u>Kelly, et al., "Antipneumococcal Activity of SB 265805 (a New Broad-Spectrum Quinolone) Compared with Nine Compounds by MIC," 38th Annual Interscience Conference on Antimicrobial Agents and Chemotherapy, Abstract F-87: 254 (1998).</u>
	<u>Jorgensen, et al., "Performance Standards for Antimicrobial Disk Susceptibility Tests," NCCLS, 17(1)M2-A6: 1-86 (1997).</u>
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## Notice of References Cited

Application/Control No. 09/611,998		Applicant(s)/Patent Under Reexamination APPELBAUM ET AL.	
Examiner D. Margaret Seaman		Art Unit 1625	Page 1 of 1

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B	US-5633262	05-1997	Hong	--	--
C	US-6262071	07-2001	Crabb	--	--
D	US-				
E	US-				
F	US-				
G	US-				
H	US-				
I	US-				
J	US-				
K	US-				
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M	US-				

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U	Hohl, Clin Microbiol Infect, 1998, 4(5), 280-284.
V	Kim, Arch Pharmacal Res, 1996, 19(5), 400-405.
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copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		ATTY. DOCKET NO. <b>P50959RC1</b>	PREDECESSOR SERIAL NO. <b>09/611,998</b>
		APPLICANT <b>Appelbaum, et al.</b>	
		PREDECESSOR FILING DATE <b>7/7/00</b>	GROUP

**CO-PENDING PATENT APPLICATIONS**

Examiner Initial	Attorney Docket No.	US Serial No.	Filing Date	Title	Inventors
	P50954-1	09/569,648	5/12/00	Methods of Use of Quinolone Compounds Against Pneumococcal and Haemophilus Strains	Appelbaum, et al.
	P50955R	09/577,723	5/23/00	Methods of Use of Gemifloxacin Compounds Against Fluoroquinolone Resistant Streptococcus Pneumoniae Bacteria	Bast, et al.
	P50956R	<del>09/577,731</del>	5/23/00	Methods of Use of Gemifloxacin Compounds Against Fluoroquinolone Resistant Streptococcus Pneumoniae Bacteria	Bast, et al. <i>ABANDONED</i>
	P50928X1	<del>09/395,492</del>	3/23/01	Methods of Use of Fluoroquinolone Compounds Against Maxillary Sinus Pathogenic Bacteria	Dubois, et al. <i>ABANDONED</i>

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